FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Writ Petition No. 5768/2007
(Deepali Gopilal Lunge VERSUS The Education Officer (Secondary), Zilla Parishad, Amravati & others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Mr. G.R. Agrawal, counsel for the petitioner.
Mr. Deopujari, Assistant Government Pleader for the R-1.

CORAM : D.D.SINHA AND
SMT. VASANTI A. NAIK, JJ.
DATE : DECEMBER 12, 2007.

Heard Mr. Agrawal, the learned counsel for the petitioner and Mr. Deopujari, the learned Assistant Government Pleader for the respondent no.1.

This writ petition is directed against the communication/order dated 10.07.2006 issued by respondent no.1, Education Officer, cancelling the approval granted to the petitioner.

The counsel for the petitioner states that the petitioner has challenged the impugned communication/order primarily on the ground that the order was passed in violation of the principles of natural justice since the petitioner was not granted an

opportunity of being heard. It is further contended that in absence of reasonable opportunity of hearing, the impugned communication/order cannot be sustained in law being violative of principles of natural justice.

Mr. Deopujari, the learned Assistant Government Pleader for the respondent no.1, has categorically stated that the petitioner, though called for hearing, remained absent on his own without any justification. The said fact is also reflected in the communication dated 10.07.2006.

The learned counsel for the petitioner also contended that the order/communication dated 10.07.2006 is also not sustainable in law for want of proper reasons for revoking the approval.

After considering the rival contentions and after perusing the impugned communication as well as in view of the statement made by the learned Assistant Government Pleader, it appears that the petitioner was given opportunity of hearing, however, the petitioner failed to avail the same, and therefore,

she cannot now canvass the grievance in this regard for which she herself is responsible. Secondly, the impugned communication shows as many as seven grounds on which the decision is arrived at that the petitioner was not eligible for grant of approval.

In that view of the matter, as no case is made out by the petitioner, the petition is dismissed.

JUDGE JUDGE

APTE